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The Honorable William H. Alsup
United States District Court, Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

Re: *Oracle America, Inc. v. Google Inc.*, No. 3:10-CV-03561-WHA (N.D. Cal.)

Dear Judge Alsup:

Google's précis seeking leave to file a motion for partial summary judgment on Oracle's First Affirmative Defense of assignor estoppel is one of four that Google filed without having made any effort to raise the issues with Oracle to determine whether the parties could resolve them in whole or in part. Oracle disagrees that the evidence regarding the inventors' involvement with Android is undisputed. However, we believe that the issue of assignor estoppel is one in particular that should be discussed and resolved, by stipulation or otherwise, without judicial intervention. If the parties are unable to resolve the proposed motion by August 25, Google should re-file its précis and Oracle will respond.

Respectfully submitted,

/s/ Michael A. Jacobs

Michael A. Jacobs